

# Care Leaver Council Tax Discount Policy

## February 2023

Document control	
<b>Document Title</b>	Care Leaver Council Tax Discount Policy
<b>Document Description</b>	This policy is for practitioners working with Care Leavers in relation to council tax and outlines the policy and protocol for care leaver council tax liability in Barnet.
<b>Approval Date</b>	22 <sup>nd</sup> February 2023

## Contents

<b>Introduction</b> .....	3
1. Who is eligible? .....	4
2. Discretionary discount regulations .....	4
3. How will the discount be administered? .....	4
4. What limitations are there? .....	4
5. Young people who received care from Barnet Council but live outside the Borough .....	6
6. Aged 25 and over .....	6
<b>Award Process</b> .....	6
7. Barnet Care Leavers Resident in Barnet .....	6
8. Non-Barnet Care Leavers Resident in Barnet .....	7

## Introduction

In Barnet, we want the same things for our care leavers as any good parent would want for their child. We want our care leavers to be resilient, and by that we mean healthy, happy and feel valued. We want them to grow into well-adjusted individuals who will experience positive relationships, be responsible citizens, fulfil their goals and ambitions, and ultimately provide good parenting to their own children.

In line with our Family Friendly Barnet approach, we want care leavers to be able to bounce back from life's challenges and embrace new opportunities. Our vision is for a society where care leavers have the same life chances and ambitions as other young people.

This desire is reinforced through our Corporate Parenting Pledge, which seeks to support our ambitions for Children in Care and Care Leavers as outlined within the [Children and Young People's Plan 2019 – 2023](#). The Pledge reflects our corporate values of fairness, responsibility and opportunity, furthermore, it promotes our approach to delivering a model of resilience-based practice through empowering children and young people to take ownership of their pathways and identify their entitlements.

This policy is for practitioners working with Care Leavers in relation to council tax and outlines the policy and protocol for care leaver council tax liability in Barnet. The policy sets out the eligibility criteria, award process and arrangement for care leavers living inside and outside of Barnet.

The local authority will provide an adequate council tax policy for all care leavers, to aid their transition to independence, and support their overall Pathway Plan by meeting their identified needs and helping them to achieve their potential.

All decisions on eligibility and levels of financial support after the maximum relief period will be based on a thorough assessment of the young person's circumstances. An allocated Personal Advisor (PA) or Social Worker and Revenues and Benefits staff member will ensure that young people are aware of and fully understand the assessment criteria and how decisions have been made regarding applications for relief.

Between 1<sup>st</sup> April 2018 and 22<sup>nd</sup> February 2023 Barnet Care leavers will receive a maximum of 100% discount on their Council Tax for up to their first 2 years of independent living up to the age of 25. The 2 years may be paused for up to 2 periods where a full exemption is already being awarded because the Care Leaver is a student.

From 22<sup>nd</sup> February 2023 Barnet Care Leavers will receive a maximum of 100% discount on their Council Tax until the end of the financial year following their 25<sup>th</sup> birthday.

## 1. Who is eligible?

1.1 This policy applies to 'Former Relevant Children' as defined in the Children Act 1989; those aged 18 or above who either have been a relevant child and would be one if (s)he was under 18 or immediately before (s)he ceased to be looked after at age 18, was an eligible child:

- **Eligible children** are those aged 16 or 17 who have been looked after by the Local Authority for at least 13 weeks since their 14<sup>th</sup> birthday and are still looked after.
- **Relevant children** are those aged 16 or 17 who are no longer looked after, but were eligible children before he or she was last looked after.

1.2 They must be liable to pay Council Tax in Barnet; their name must appear on a Barnet Council Tax bill.

1.3 They can be the only named liable person or joint and severally liable with other residents.

## 2. Discretionary discount regulations

2.1 The care leaver discount will be created as a class under section 13A(1)(c) of the Local Government Finance Act 1992. This allows councils to create a class or group of people to whom the discretionary discount will apply.

2.2 Discretionary discounts are funded by the Council. This means that the cost of the scheme is met by us at the expense of the borough's Council Tax payers.

## 3. How will the discount be administered?

3.1 The care leaver discount will be awarded after other Council Tax status discounts and exemptions have been considered. These include single person discount for being the only resident, discounts for being a student or an apprentice and Council Tax Support.

3.2 If the care leaver is jointly and severally liable for Council Tax (meaning their name and the names of other adults resident at the property appear on the bill), then the household will still see their Council Tax bill reduced to nil. This is regardless of the circumstances of the other residents in the property.

## 4. What limitations are there?

4.1 The reduction will apply from 1st April 2018 or whenever the care leaver starts independent living according to their tenancy, if after this date. Where a care leaver started independent living prior to 1 April 2018 a reduction can be considered under the general provisions of section 13A for any periods prior to 1 April 2018. However, this will require an application to be made. These cases will then be considered by Revenues and Benefits Team, in consultation with Onwards and Upwards on a case by case basis.

4.2 The discount is only applicable when the care leaver has Council Tax liability. The care leaver would not normally be the liable person when living with foster carers, 'Staying Put' Providers,

Supported Lodgings providers and destinations recorded as home on the Family Services case recording system. In these circumstances, the discount would not apply.

#### 4.3 Between 1<sup>st</sup> April 2018 and 22<sup>nd</sup> February 2023

4.3.1 Where a full-time student is entitled to an exemption from Council Tax, the 2-year care leaver discount will be paused. There may be unforeseen circumstances where a full-time student may not be entitled to a full exemption, and so if the Care Leaver is liable to pay all or part of the Council Tax whilst a student, the Care Leaver discount will continue, and the pause will not apply. Once the exemption ends, the Care leaver discount will recommence whilst the young person is under the age of 25.

4.3.2 The maximum aggregate total of the guaranteed up to 100% care Leaver discount must not exceed 2 years or go beyond the care leaver's 25 birthday. The discount may only be paused a maximum of two times. If a third instance (or more) of pausing is required, the discount will not be paused and will run concurrently with the student exemption. Where a care leaver requires more than 2 pauses, they may apply for discretionary relief under the general provisions of section 13A and their circumstances as a care leaver/student will be taken into consideration along with the any supporting comments from Onwards and Upwards.

4.3.3 If the care leaver moves out of a property where relief is currently being applied, to take up full-time education (moves into halls of residence etc), they will also be eligible for the pause in relief should they:

- later become liable for Council Tax in Barnet again;
- meet the other qualifying conditions;
- not have taken more than 2 pauses already.

In this instance relief will only be applied following confirmation from the care leavers Personal Advisor that s/he has been living elsewhere owing to them being in a full-time course of education and that they are satisfied s/he has been attending the course.

4.3.4 Once the care leavers discount expires after 2 years and the care leaver is under the age of 25, a further reduction can be considered under the general provisions of section 13A. This would also require an application to be made and the case would be considered, in consultation with Onwards and Upwards, on a case-by-case basis.

#### 4.4 From 22<sup>nd</sup> February 2023

4.4.1 Awards will expire from the end of the financial year (31<sup>st</sup> March yyyy) following the care leavers 25<sup>th</sup> birthday.

4.5 Young people who do not have recourse to public funds, such as unaccompanied asylum-seeking children are not able to apply for discretionary funds, however they will be eligible to apply for the discount once their status in the UK has been decided and as a result, they

become entitled to receive public funds. In these cases, the discount can only be applied from the date when their status was determined. Revenues and Benefits will therefore be updated of the immigration status of care leavers on a monthly basis by the Family Services Data and Systems Team, to enable this information to be recorded on their council tax account notes.

- 4.6 A care leaver can receive the full reduction at up to a maximum of two addresses concurrently. This is for a maximum of 4 weeks and only in exceptional circumstances (such as at risk of domestic or serious youth violence). Where liability for two properties exceeds 4 weeks an application for discretionary relief under the general provisions of section 13A can be submitted and will be considered by Revenues and Benefits on its own merit, in consultation with Onwards and Upwards.

## 5. Young people who received care from Barnet Council but live outside the Borough

- 5.1 For Barnet Care Leavers now living out of borough; on receipt of the Council Tax bill the Onwards and Upwards team will liaise directly with the issuing LA and Family Services finance services will make the payment to the host Borough.
- 5.2 At the point of turning 18, depending on accommodation type, the Onwards and Upwards worker will support the young person to contact their local Revenues and Benefits Team to:
- 5.2.1 Look at reductions/discounts available to determine the net bill amount.

## 6. Aged 25 and over

- 6.1 From the end of the financial year after their 25<sup>th</sup> birthday the reduction will no longer be applicable. After this point, the care leaver will then be treated the same as other residents in the borough with regards to council tax liability and applications for relief.

## Award Process

### 7. Barnet Care Leavers Resident in Barnet

- 7.1 At the point an offer of independent accommodation is made to a young person, whether Temporary Accommodation (TA) or a long-term tenancy, the following notification process is to be initiated:
- 7.1.1 Onwards and Upwards notify by email the nominated person in the Revenues and Benefits Team.
- 7.1.2 Care leaver information will be shared with the Revenues and Benefits contact, including address, date of birth, the date independent living commenced and where appropriate the date the tenancy ended.

7.1.3 In some cases, care leavers do not utilise the Onwards and Upwards Service and in these circumstances, Onwards and Upwards may not be aware of the Care Leaver starting independent living. In such cases it will be down to the care leaver to contact the Council to request the reduction, either directly with the Revenues and Benefits Service or via the Onwards and Upwards Team. Those that contact Revenues and Benefits directly will be encouraged to make the request via the Onwards and Upwards Team who may then be able to offer support to the care leaver in other ways and provide confirmation to the Revenues and Benefits Service that the individual is a Barnet care leaver. If the Care leaver insists on making the request directly to the Revenues and Benefits Service, the nominated person will contact Onwards and Upwards for confirmation of the care leaver's care status.

7.1.4 A list of all care leavers will be supplied in a spreadsheet to the Revenues and Benefits Service on a monthly basis, indicating new former relevant children, those open to Onwards and Upwards and those who have turned 25 years old. The Revenues and Benefits Service will use this information to ensure that all awards of the Care Leaver Discount are correctly administered. The team will update Onwards and Upwards monthly of the status of care leavers accounts such as arrears and any risk of enforcement action to enable Onwards and Upwards to provide assistance to the young person where needed.

## 8. Non-Barnet Care Leavers Resident in Barnet

8.1 Care leavers from other local authorities whom are resident in Barnet should contact their responsible local authority in the first instance to enquire about council tax assistance. Should further financial support be required, all non-Barnet care leavers are able to apply for discretionary relief under the general provisions of Section 13A.